

MIDLAND FUNDING LLC,

Plaintiff

-vs-

AFFIDAVIT OF NANCY KOHLS

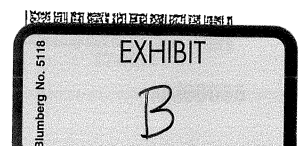
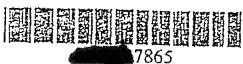
James, Gilbert,

Defendant(s).

Nancy Kohls, whose business address is 16 McLeland Rd Suite 101, St. Cloud, MN 56303, certifies and says:

1. I am employed as a Legal Specialist and have access to pertinent account records for Midland Credit Management, Inc. ("MCM"), servicer of this account on behalf of plaintiff. I am a competent person over eighteen years of age, and make the statements herein based upon personal knowledge of those account records maintained on plaintiff's behalf. Plaintiff is the current owner of, and/or successor to, the obligation sued upon, and was assigned all the rights, title and interest to defendant's CAPITAL ONE BANK account [REDACTED] 2987 (MCM Number [REDACTED] 7865) (hereinafter "the account"). I have access to and have reviewed the records pertaining to the account and am authorized to make this affidavit on plaintiff's behalf.
2. I am familiar with the manner and method by which MCM creates and maintains its business records pertaining to this account. The records are kept in the regular course of business. It was in the regular course of business for a person with knowledge of the act or event recorded to make the record or data compilation, or for a person with knowledge to transmit information thereof to be included in such record. In the regular course of business, the record or compilation is made at or near the time of the act or event.
3. The account shows that the defendant(s) owe(s) a just and true balance of \$1061.85.
4. If called to testify as a witness thereon, I could and would competently testify as to all the facts stated herein.

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I certify under penalty of perjury that the foregoing statements are true and correct to
the best of my knowledge.

JAN 21 2010

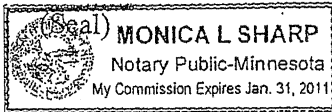
Date

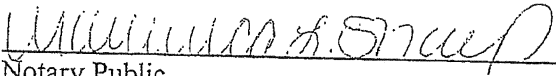
Nancy Kohls

STATE OF MINNESOTA

COUNTY OF STEARNS

Signed and sworn to (or affirmed) before me on JAN 21 2010 by Nancy Kohls.




Notary Public

My commission expires: _____

VA121
Dominion Law Associates

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MJ00036